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THE ANDHRA PRADESH GAZETTE

PART-VII EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 116] HYDERABAD, WEDNESDAY, DECEMBER 15, 2010.

NOTIFICATIONS RELATING TO THE ADMINISTRATION OF PANCHAYAT RAJ

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STATE ELECTION COMMISSION

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF 3 CONTESTED AND DEFEATED CANDIDATES TO THE OFFICE OF WARD MEMBERS OF PEDDAPURAM MUNICIPALITY, EAST GODAVARI DISTRICT DURING THE 3rd ORDINARY ELECTIONS HELD IN 2005.

No. 456/SEC-F2/2007-1:- WHEREAS, the third ordinary election to Peddapuram Municipality was conducted in the month of September, 2005 and the result was declared on 26-09-2005;

AND WHEREAS, under section 343-ZC of APM Act, 1965 every candidate at any election held under the APM Act, 1965 shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date of which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its order No.633/SEC-F1/2005, dt:03-08-2005 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under section 343-ZD of APM Act, 1965 every contesting candidate at an election shall, within forty five days from the date of declaration of results of the election, lodge with the District Election Authority, an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 343-ZC.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to Peddapuram Municipality expired on 09-11-2005;

AND WHEREAS, as per the SECs order No. 633/SEC-F1/2005, dt. 03-08-2005, the Collector and District Election Authority, East Godavari District has sent a report to the State Election Commission vide his letter No.H4/6033/2005-3, dt. 7-12-2006 furnishing a list of contested candidates of Peddapuram Municipality,

who failed to lodge final accounts of election expenses within the stipulated time of 45 days to the State Election Commission to take necessary penal action as per the provisions of APM Act, 1965 and Rules issued there under;

AND WHEREAS, under section 15 B of APM Act, 1965 read with the Commission Order No. 633/SEC-F1/ 2005, dt.03-08-2005 the State Election Commission issued show cause notices to the said 3 contested and defeated candidates of Peddapuram Municipality who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the rules calling upon them to show cause within 20 days from the date of receipt of the notice as to why they should not be disqualified under the provisions of section 15-B of APM Act, 1965 for their failure;

AND WHEREAS, the State Election Commission received a report from the Collector and District Election Authority, East Godavari District vide his letter H4/6033/2005, dt. 16-11-2010 informing that the show-cause notices were served to (i) Smt. Meesala Venkata Lakshmi a defeated candidate from ward No.6, (ii) Smt. Teegireddy Lakshmi, a defeated candidate from ward No. 7 and (iii) Sri Chintha Satya Syam Sundara Murthy, a defeated candidate from ward No. 13 of Peddapuram Municipality by the Municipal Commissioner, Peddapuram.

AND WHEREAS, the said contested and defeated candidates of Peddapuram municipality have thus not furnished any satisfactory explanation for their failure even after due notice to them and the Commission is satisfied that they have no good reason or justification for the said failure;

AND WHEREAS, the State Election Commission is satisfied that the said contested and defeated candidates have contested the 3rd ordinary elections held in 2005 to Peddapuram municipality and failed to lodge the account of expenses as required by law;

NOW THEREFORE, in pursuance of section 15-B of APM Act, 1965 and also the powers conferred under Article 243-V of Constitution of India, the State Election Commission hereby, declares the 3 contested (defeated) candidates i.e., (i) Smt. Meesala Venkata Lakshmi, ward No. 6, (ii) Smt. Teegireddy Lakshmi, ward No. 7 and (iii) Sri Chintha Satya Syam Sundara Murthy, ward No. 13 of Peddapuram Municipality to be ineligible for a period of 3 years from the date of issue of this order to contest any election to be held for any office under the provisions of APM Act, 1965.

Secunderabad,
09-12-2010.

Dr.G.M. RAMESH KUMAR,
Secretary.

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